

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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In the Matter of:)	
)	
Review of the Commission's Part 95)	WT Docket No. 10-119
Personal Radio Service Rules)	
)	
1998 Biennial Regulatory Review – 47)	WT Docket No. 98-182
C.F.R. Part 90 – Private Land Mobile Radio)	RM-9222
Services)	
)	
Petition for Rulemaking of Garmin)	RM-10762
International Inc.)	
)	
Petition for Rulemaking of Omnitronics,)	RM-10844
L.L.C.)	

Comments of Cobra Electronics, Corporation

Cobra Electronics Corp. (“Cobra”) respectfully submits the following comments in response to the Notice of Proposed Rulemaking issued by the Federal Communications Commission in the above caption Docket No. 10-119, Review of the Commission’s Part 95 Personal Radio Services Rules.

Background:

Cobra, is a leader in consumer two way radio communications and has been marketing and selling personal two way communication equipment for 50 years. We are market leaders in most of the categories that we participate in, including Citizen Band Radio, Family Radio Service, General Mobile Radio Service, and VHF Marine markets. Cobra is a well known and trusted name in the consumer two-way radio markets and is known for building a high quality radio for a reasonable price.

Comments:

Cobra supports the Commissions goal to simplify, streamline and update Part 95 rules . We agree that many of the rules are decades old and should be updated and consolidated to reflect the consumer needs today while serving the public interest.

Cobra agrees with the Commission that voice scrambling should not be allowed in FRS, GMRS, and CB radio services. We believe that such scrambling doesn’t allow effective emergency communications or for the user to effectively share channels to prevent conflicting communications. Cobra also believes that the present product on the market with voice scrambling does not cause harmful interference and

should not be pulled from the market but the Commission should immediately stop issuing grants for such radios and set a reasonable date for the cessation of importation of such product. Cobra believes that 18 months is enough time to remove this feature from any radio in production and to have it retested under the new rules.

Cobra agrees with the Commission that most, if not all, radios today use crystal control to achieve frequency accuracy and stability. In general we disagree with the part of 95.651 which specifies the technology used "crystal". We believe that it is always better to specify the accuracy and stability and let the designer come up with the technology to meet the requirements. In the future, a crystal may not be the best way to achieve these specifications, so why would the Commission preclude this prospective technology from being used just because the rules haven't kept pace with the technology?

Cobra agrees with the Commission that GMRS communication closely resembles other Part 95 Personal Radio Services that are licensed by rule and agrees with the proposed elimination of the individual station license for GMRS. Presently millions of these radios are sold annually into the marketplace and Cobra believes, as the Commission has stated, that only small percentage of people have the proper license. While many individuals have commented that removing the license requirement would destroy GMRS service, Cobra believes that licensing by rule would have very little to no effect on the people using this service, since most are choosing not to get an individual station license anyway. Cobra would also argue that making this service license free would have very little effect on product sales or type of customer who buy this product. The people who treat the service improperly today, in most cases, do it without a license so removing this requirement does nothing to encourage or deter this unlawful activity. It is Cobra's belief that removing individual license requirement will not adversely affect the GMRS service but will serve in the best interest of people who buy these radios and utilize this spectrum.

Cobra disagrees with the Commission on lowering the power level of handheld GMRS radios to 2 watt maximum ERP. Cobra would like to recommend using 3 watt ERP limit since this is more in line with handheld radios sold in today's marketplace. After testing numerous higher power GMRS radios using today's consumer limits for SAR, Cobra has found that 3 watts is about the maximum power that can be consistently approved in a body-worn configuration. In light of this, it would make sense for the FCC to specify a 3 watt limit for consumer handheld GMRS (licensed by rule). Cobra would also like the Commission to consider that since radios with 3 watts or less ERP will consistently pass consumer body-worn SAR testing, there is no reason to do this testing. Cobra finds it does nothing to protect the public but only adds cost and time to the approval process. Cobra also believes that 3 watt radios do not caused harmful interference to the GMRS system or any other service and should be allowed under this new rulemaking.

Cobra agrees with Uniden's comments on combined service radios like the FRS/GMRS radios sold in the marketplace today should be approved under an expanded 22 channel FRS service which would include the following.

- Maximum 3-watt ERP on all 22 channels (Difference between Cobra and Uniden proposal)

- Narrowband (12.5 kHz) all 22 channels
- No removable antenna
- Licensed by rule
- Sub-audible data for the purposes of establishing communications, identifying callers, or other short text messaging.
- No SAR testing required. (Difference between Cobra and Uniden proposal)
- Allow position data as described in Garmin's petition for rulemaking.

If the Commission would agree to this expanded FRS band the many of the present rules for strictly GMRS radios could be maintained in spirit satisfying many of the GMRS operators commenting on this NPRM.

- Maximum 5 watt ERP for handhelds
- Maximum 50 watt ERP for base stations
- 15 channels
- 25 KHz channel spacing
- 5 kHz deviation
- Removable antenna
- Licensed by station maintaining station identification
- Sub-audible data for the purposes of establishing communications

Cobra also agrees with the Commission that if licensing remains for the GMRS service that a 10 year licensing would be appropriate along with an 18 year age limit or family license.

This would satisfy both the needs of both the avid GMRS user and the mass consumer needs for a two-way radio service.

Cobra disagrees with the Commission that combined VHF marine and FRS radios cause an interference problem in the marketplace, and we believe that these radios actually enhance the legal use of each of these services. These radios are marketed as portable marine radios with FRS capabilities and usually cost significantly more than their FRS counterparts. This allows the boater to buy one radio as a backup to his fixed mount radio in the boat while he can switch to FRS and legally communicate with family and friends on the shore while they are docked at the marina. In most cases we have found that the adult captain is using this VHF/FRS radio while he has given his children some lower cost lower power FRS radios. This is a much better situation than the children using the marine radio on shore while the captain uses the VHF fixed mount radio in the boat.

Cobra agrees with the Commission's desire to allow hands free communication in the CB band. This would harmonize Commission rules with Canadian regulators request for CB suppliers to develop hands free options for truckers in Canada. However, Cobra is concerned about allowing VOX operated hands free operation of the radio. Since most know these radios are used by truckers in a sometime noisy environment, our concern is inadvertent activation of the transmitter. This is especially true with generic products developed by companies other than the certified manufacturer of the radio. Cobra is

concerned that if the radio and the accessory are mismatched a user could inadvertently transmit on the CB band without knowing it. So light of this concern, and those discussed in the Uniden comments, Cobra would recommend that only certified manufacturers should be able to make hands-free CB's.

Cobra agrees with the Commission that Part 15 power levels should offer adequate range for operation within a truck or vehicle while achieving the Commission goal of not allowing remote operation.

Cobra believes that any changes to the CB rules to allow wireless hands-free operation should not restrict the certified manufacturers from developing reliable wireless interfaces that can use widely available hands-free wireless cellular telephone accessories.

Cobra agrees with the Commission to harmonize FRS, GMRS and CB rules with respect to channel sharing. This new rule should not specify a time limit for conversations but should be written more like the FRS and GMRS rules which require users to share channels. All that being said Cobra does agree that none of the services should allow any single transmission for more than one minute long with the possible exception of an emergency situation. Cobra doesn't believe allowing Noise Toys or any other sound effect enhances any of the Personal Radio services, and therefore, these devices shouldn't be allowed.

Cobra believes that the commission shouldn't reduce the 4 watt power limits for CB radios. This power limit has been successfully in effect for many years and should remain unchanged. Cobra finds that in times of poor propagation that this power level is marginal in allowing effective trucker communication. Cobra believes that during a sky wave condition it is not harmful to the CB service to allow people to communicate over long distances. Cobra finds very little correlation between a desire to communicate long distances during a sky wave condition and those who illegally use linear amplifiers. Cobra believes that those who use illegal linear amplifiers will do so no matter what the conditions are they just want to have more power than anyone else. Cobra does not condone the use of illegal linear amplifiers but believes restricting the legal operators of CB radios from communicating during a sky wave condition should not be penalized for the actions of those breaking the law. The commission should also consider that since there is no requirement in the present rules for CB operators to determine the location of the person they are talking to, those legal law-abiding CB operators could be communicating over long distances without their knowledge and should not be penalized by rule. Cobra is also concerned if the present power limit is reduced that this may drive law abiding users towards illegal use of these linear amplifiers.

Cobra also believes that CB should be allowed to transmit sub-audible data for the purposes of establishing communications, identifying callers, or other short text messaging just like all the other Personal Radio Services. This will further combine the rules without damaging the original intent of the CB service while providing customers with possibly new features.

Cobra agrees with the Commission to specify channel numbers in tabular format for each service. This should promote and extend interoperability between equipment from different manufacturers

Cobra also agrees with Uniden about the elimination of Section 95.671 requiring the serial number to be engraved into the CB transmitter chassis. Cobra believes that the section does not serve a useful purpose therefore should be eliminated.

Rule Implementation:

Although this rulemaking is a significant change in structure of the present Commission rules Cobra believes that the present radios on the market today should not be made obsolete by any of these changes, with the possible exception of those radios who received grants that have the voice scrambling feature (see earlier comment). Cobra believes that these new rules should only be required on all new grants beginning 18 months after the new rule has been published in the federal register. Cobra also believe that products being tested during this 18 month period can receive a grant under either the new or the old rules at the request of the manufacturer. Any grant received under the old rules will be grandfathered and will continue to be valid for the life of the product.

Respectfully Submitted,

Cobra Electronics Corporation

A handwritten signature in black ink, reading "William Chamberlain". The signature is fluid and cursive, with the first name "William" and last name "Chamberlain" clearly distinguishable.

By: _____
William Chamberlain
Vice President, Engineering and Quality

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